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Oussama Zbib

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EXAMINER

GARG, YOGESH C

ART UNIT

PAPER NUMBER

3625

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DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/068,210	<b>Applicant(s)</b> ZBIB, OUSSAMA	
	<b>Examiner</b> Yogesh C. Garg	<b>Art Unit</b> 3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 21,22,24,26-29,31,33-37 and 39-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-22, 24, 26-29, 31, 33-37, 39-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/6/2008 has been entered.

### ***Response to Amendment***

2. Applicant's amendment filed on 3/6/2008 is entered. Claims 23, 25, 30, 32 and 38 are canceled and new claims 41-45 have been added. Claims 21, 28 and 35 are amended. Claims 21-22, 24, 26-29, 31, 33-37, 39-45 are pending.

### ***Response to Arguments***

3. Applicant's argument filed 3/6/2008 with respect to prior art rejection of claims 21-22, 24, 26-29, 31, 33-37, 39-45 have been considered but are moot in view of the new ground(s) of rejection necessitated due to current amendments.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4.1. Claims 21-22, 24, 27-29, 31, 34-37, 40-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Minte in view of Speicher (US Patent 6,697,786 )

**Regarding claim 21**, Minte combined with Speicher teaches a new system for communicating information about an advertisement, comprising:

logic in an advertisement content server configured to receive advertisement information associated with a plurality of advertisers (see Minte, at least paragraph 0043, Fig.1, paragraph 0045, Fig.2 which disclose that the advertisement content server in the form of Mail site “40” receives advertisement information associated with a plurality of advertisers and the mail-site 40 would inherently require a logic/program to receive the information from advertiser (s), just as from ‘Joe’s” and store and display the same );

(Note: In order to receive and store the advertisements, a computer program will definitely include logic because in a computer program defining the logic of program is often a first step in developing the program’s source code, see definition of “logic” in

“Microsoft Computer Dictionary, Third edition, 1997. Note: The reference of Microsoft Computer Dictionary is cited as a mere evidence to show that a computer application program, that will be used in Minte to receive and store the advertisement information in digitized form will include a logic and defining a logic in developing a program is a first step. Minte further discloses using a computer program/logic in response to receiving a request for search of an advertisement either via “bug” or directly receiving a request for content and then searching for the same and presenting it to the user.)

logic in an advertisement content server configured to store the information as records within defined fields (see Minte, at least paragraph 0044 and Figs.1-4, Reference # “40” and “60” which show the defined fields, such as “Broadcast call letters”, “ Broadcast promotion” and “ Menu of Advertisers”, The Menu of Advertisers includes further defined fields/categories, such as “coupons”, “specials”, “Catering info” );

logic in an advertisement content server configured to receive a search request from the user, (see Minte, at least paragraphs 0032-0033, 0044-0045 which disclose that a user can go directly to the Mall site “40” that is the server and then research [search] the products of interest, see Figs.2-4, that is a user can send a search request for “coupons” and “specials” at “Eat at Joe’s” eatery);

Minte does not explicitly teach that the advertisement server is configured to:  
provide to user, a search window that includes a plurality of search fields, the plurality of search fields configured to receive user-defined search criteria, the plurality of search fields including a first search field configured to facilitate a search of a

predetermined first criteria, the first criteria g about the advertisement, the plurality of search fields including a second search field configured to facilitate a search of a predetermined second criteria, the second criteria being about the user, the plurality of search fields including a key field configured to facilitate a search across the first search field and the second search field;

receive from a user at least one search term related to one of the defined fields and in response to perform a search function according to the at least one search term.

Speicher teaches in the field of Personal Ad services searching advertisements by providing to a user a search window/form that includes a plurality of search fields, the plurality of search fields configured to receive user-defined search criteria, the plurality of search fields including a first search filed configured to facilitate a search of a predetermined first criteria being about the advertisement, the plurality of search fields including a second search field configured a search of a predetermined second criteria, the second criteria being about the user, the plurality of search fields including a key field configured to facilitate a search across the first search field and the second search field (see fig.16. The searching window/form as depicted in fig.16 includes a plurality of search fields “22003, 2206, 2204, 2205, 2207” enabling the user to enter different attributes which can facilitate a search of predetermined criteria such as one criteria being about the advertisement that relates to the gender of the advertisement , another criteria being about the user to facilitate the search , that is his preferences for a single low age match and a key field related to the gender of the match configured to facilitate the user to search across for a desired advertisement. In view of Speicher, it

would be obvious to one of an ordinary skilled in the art, to incorporate and use this feature in Minte because it would enable the user to receive additional information about the advertised products, such as product names/description/price, etc. by using keywords and search term related to the advertised product based upon a user's preference attribute after having accessed the web site of the advertised product (see Minte at least paragraph 0034).

Minte teaches that a logic in an advertisement content server is configured to transmit at least a portion of the information to the user resulting from the search function (see at least paragraph 0046 & Fig.3 wherein the consumer is conveyed the information of the advertisement he is looking for, such as "Joe's" eatery).

**Regarding claim 22**, Minte discloses that the system of claim 21, wherein the system is configured to provide at least one advertiser access to the information via the Internet/ a remote database client (see at least paragraph 0029 which discloses that an advertiser's information can be accessed via web-link which corresponds to the use of Internet or remote database client).

**Regarding claim 24**, Minte discloses that in the system of claim 21, at least one field includes broadcaster identification information (see Fig.2, " WXYZ TV or WQRS Radio") and advertiser identification information (see at least Fig.2, " Eat at Joe's").

**Regarding claim 27**, Minte discloses all the limitations of claim 21, as analyzed above. Minte further discloses, that the advertisement information could include unpublished advertisements that are available through the advertisement content server (see at least Figs. 2 and 3 and paragraphs 0043 and 0046 which include information on coupons, specials, as part of the supplemental/extended information of an advertisement available only through the content server, that is Mall site "40") .

**Regarding claims 28-29, 31, 34, 35-37, and 40**, their limitations are closely parallel to the limitations of claims 21-24 and 27 and are therefore analyzed and rejected on the same basis.

**Regarding claims 41-42**, its limitation describes the type of criteria and , as analyzed above in claim 21, the plurality of search fields shown in Fig. 16 (Speicher) are configured to accept any search criteria, whether it is related to a gender or age or user's preferences or some keywords, etc and these search fields can also accept data relating to an address of the user or his preferences, such as a radio station or a television station which the user listens to or watches to. It would be obvious to one of an ordinary skilled in the art to configure entering attributes in the given plurality of fields in the Advertisement search form shown in fig.16 such that they are related to the search of an advertisement and the user/user's preferences to help in searching the right advertisement based upon the user's entry of attributes. The information about user's preferences relating to low age, single, etc. in Speicher or relating to user's other



preferences such as his likings for radio station or TV would help in searching the right mate for the user in Minte or for searching the right product/gift related to the user's preferences for radio station or TV station. The necessary structure and functionality are taught in the combined prior art of Minte and Speicher which can enable the limitations recited in claims 41-42 and therefore claims 41-42 are obvious in view of Minte/Speicher.

**Regarding claims 43-45**, their limitations are closely parallel to the limitations of claims 41-42 and are therefore analyzed and rejected on the same basis.

**4.2.** Claims 26, 33 and 39 are rejected under 35 U.S.C. 103(a) as being obvious over Minte in view Speicher and further in view of Stein (US Patent 5,826, 241).

**Regarding claim 26**, Minte in view of Speicher discloses all the limitations of claim 21, as analyzed above, but does not disclose that the system is configured to charge a fee for accessing the information. However, Stein teaches this limitation (see at least Fig.1, 6J, col.3, lines 17-37, col.10, line 62-col.11, line 13 discloses that the payment system "10" charges a service fee "148" for providing services to the seller to sell information products in digitized form.). In view of Stein, it would have been obvious to one of an ordinary skilled in the art at the time of the invention to have modified Minte in view of Speicher as applied to claim 21 by incorporating the feature of charging a fee for accessing the information because it will help to meet the expenses of establishing

the Mall site 40 and also it would be a medium to earn income for the company which owns the Mall site "40".

**Regarding claims 33 and 39**, their limitations are closely parallel to the limitations of claim 26 and are therefore analyzed and rejected on the same basis.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cohen (US Patent 7,203,674, see at least col.1, lines 33-44) and Shapira (US Patent 7,085,806, see at least col.1, lines 27-40) teach in a web based ad service to search for advertisements by entering attributes for different predetermined criteria relating to the advertisement and himself .

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C. Garg whose telephone number is 571-272-6756. The examiner can normally be reached on Increased Flex/Hoteling.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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